

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Michael P. WALLACE

Serial No.: 10/669,203

Filed: September 23, 2003

For: ENERGY ACTIVATED VASO-
OCCLUSIVE DEVICES

) **Group Art Unit:** 3739

) **Confirmation No.:** 2638

) **Examiner:** Roane, Aaron F.

APPEAL BRIEF TRANSMITTAL

MAIL STOP APPEAL BRIEF-PATENTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith are filing for the above-identified application:

- ☒ Appeal Brief-CFR 41.37 (22 pages)
- ☒ Evidence Appendixes: A) U.S. Patent No 5,853,418 (18 pages), B) U.S. Patent No. 6,238,421 (6 pages), C) U.S. Patent No. 6,280,457 (16 pages), D) U.S. Patent No. 6,024,754 (15 pages)

CERTIFICATE OF TRANSMISSION

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below via the USPTO EFS-Web filing system.

December 2, 2008
Date of Deposit

/NancyRushton/
Nancy Rushton

The items checked below are appropriate.

- ☒ Appeal Brief Fee:
- ☒ Large Entity Fee of \$540.00
- ☒ Applicant petitions for extension of time for one month (37 CFR 1.136(a)):
- ☒ Large Entity Fee of \$130.00
- ☒ Credit card payment in the amount of \$670.00 is paid via EFS Web.

Respectfully submitted,

VISTA IP LAW GROUP LLP

Dated: December 2, 2008

By: /David T. Burse/
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